



Entered on Docket
October 03, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**Order Sustaining First Omnibus Objection
Of USACM Trust To Proofs Of Claim
Based Entirely Upon Investment In The
Bundy Canyon (\$7.5 Million) Loan**

Hearing Date: August 30, 2011

Hearing Time: 10:30 a.m.

The Court having considered the "First Omnibus Objection Of USACM Trust To Proofs Of Claim Based Entirely Upon Investment in The Bundy Canyon (\$7.5 Million) Loan, [DE 8726] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the partial disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to repayment by the

1 borrower or from the collateral securing the Bundy Canyon (\$7.5 Million) Loan; and good
2 cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8726] is sustained; and
5 2. The Proofs of Claim listed on **Exhibit A** attached are 80% disallowed and
6 20% allowed.

7
8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**

10
11 By /s/ John Hinderaker (AZ #018024)

12 Robert M. Charles, Jr.

13 John Hinderaker (*pro hac vice*)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

- _____ This Court has waived the requirement set forth in LR 9021(b)(1).
- XXX No party appeared at the hearing or filed an objection to the motion.
- _____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: <u>Augie Landis</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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USACM Trust
Bundy Canyon (\$7.5 Million) Loan
Single Loan Claims

Claim	Name	Address	Total Claim Amount Relating to the Bundy Canyon \$7,500,000 Loan	Amount Allowed	Amount Disallowed
10725-01076	Adams, Karen	15026 Starbuck St Whittier, CA 90603-2251	53,900.08	10,780.02	43,120.06
10725-01851	Broadwalk Investments Limited Partnership	C/O James & Donna M Bonfiglio General Partners 8635 W Sahara Las Vegas, NV 89117-5858	50,000.00	10,000.00	40,000.00
10725-00293	C. Zrudsky Inc.	Attn: Coleen Zrudsky 5731 S. Youngfield Street Littleton, CO 80127	53,762.00	10,752.40	43,009.60
10725-00782	Charles Duke & April M Cummins	C/O David A Colvin Esq Marquis & Aurbach, 10001 Park Run Dr Las Vegas, NV 89145	100,000.00	20,000.00	80,000.00
10725-00326	Folendorf, Tad	Po Box 1 Angels Camp, CA 95222	50,000.00	10,000.00	40,000.00
10725-02310	Galloway, Ellyson J	7440 S Blackhawk St #12208 Englewood, CO 80112	91,948.00	18,389.60	73,558.40
10725-00336	Gates Family Trust Dtd 6/16/00	Elwyn G & Mildred Ann Gates Teees 387 1/2 Ocean View Ave Encinitas, CA 92024-2625	52,500.00	10,500.00	42,000.00
10725-01834	Graf, Paul D & Margaret A	2530 Great Hwy San Francisco, CA 94116-2613	62,875.03	12,575.01	50,300.02
10725-00577	Guio, Betty	4790 Caughlin Parkway, #379 Reno, NV 89519	250,000.00	50,000.00	200,000.00
10725-01772	Larson, Gary & Dolores	544 Rolling Hills Dr Mesquite, NV 89027	70,866.00	14,173.20	56,692.80

EXHIBIT A

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